

MICHIGAN CODE OF MILITARY JUSTICE OF 1980 (EXCERPT)
Act 523 of 1980

ARTICLE 4

32.1016 Kinds of courts-martial.

Sec. 16. The 3 kinds of courts-martial in the state military forces are:

(a) General courts-martial, consisting of a military judge and not less than 5 members; or only a military judge, if before the court is assembled the accused, knowing the identity of the military judge and after consultation with defense counsel, requests in writing a court composed only of the military judge and the military judge approves.

(b) Special courts-martial consisting of a military judge and not less than 3 members; or only a military judge, if the accused under the same conditions as those prescribed in subdivision (a), requests a court composed only of the military judge.

(c) Summary courts-martial, consisting of 1 commissioned officer of field grade rank or above who is certified for that duty by the state judge advocate general and who is not a member of the accused's unit.

History: 1980, Act 523, Eff. Mar. 31, 1981;—Am. 1990, Act 300, Imd. Eff. Dec. 14, 1990;—Am. 2005, Act 186, Imd. Eff. Oct. 27, 2005.

32.1017 Attachment of court-martial jurisdiction and trial of accused during period of active state duty.

Sec. 17. (1) Court-martial jurisdiction over a person accused of an offense against this code attaches during a duly authorized period of active state duty.

(2) An accused will normally be tried for an offense during a duly authorized period of active state duty.

History: 1980, Act 523, Eff. Mar. 31, 1981.

32.1018 General court-martial; jurisdiction; powers of punishment.

Sec. 18. A general court-martial has jurisdiction to try persons subject to this code for an offense made punishable by this code and may adjudge any of the following punishments:

(a) A fine of not more than \$200.00 for a single offense.

(b) Forfeiture of pay and allowances of not more than \$200.00 for a single offense.

(c) A reprimand.

(d) Dismissal or dishonorable discharge.

(e) Reduction of a noncommissioned officer to an inferior grade.

(f) A combination of the punishments under subdivisions (a) to (e).

History: 1980, Act 523, Eff. Mar. 31, 1981.

32.1019 Special court-martial; jurisdiction; powers of punishment.

Sec. 19. A special court-martial has jurisdiction to try a person subject to this code, except an officer, for an offense for which the person may be punished under this code. A special court-martial has the same powers of punishment as a general court-martial except that the fine or forfeiture of pay and allowances imposed by a special court-martial may not be more than \$100.00 for a single offense.

History: 1980, Act 523, Eff. Mar. 31, 1981.

32.1020 Summary court-martial; jurisdiction; objection by accused; sentences.

Sec. 20. (1) A summary court-martial has jurisdiction to try a person subject to this code, except an officer, for an offense made punishable by this code.

(2) A person shall not be tried by a summary court-martial if, before trial, the person objects to a summary court-martial. If objection to trial by summary court-martial is made by an accused, trial may be ordered by special or general court-martial, as appropriate.

(3) A summary court-martial may sentence a person to a fine of not more than \$25.00 for a single offense, to forfeiture of pay and allowances of not more than \$25.00 for a single offense, to reduction of an enlisted member to an inferior grade, or to a combination of these punishments.

History: 1980, Act 523, Eff. Mar. 31, 1981.

32.1021 Court-martial; sentencing person to confinement instead of imposing fine.

Sec. 21. A court-martial, instead of imposing fine, may sentence a person to confinement for not more than 1 day for each dollar of the authorized fine.

History: 1980, Act 523, Eff. Mar. 31, 1981.